

## ISSUES ARISING FROM THE RECENT FORMAL COMPLAINTS MADE AGAINST ME

**To: Professor Coombes, Deputy Vice Chancellor (Resources)**

**From: Ian Shanahan, Associate Lecturer in Performance & Composition, SoCA/Music**

**1.12.2002**

Aside from the written complaint(s) by Matthew Gately, I wish to express the following significant concerns and issues regarding the remaining 7 (seven) letters of complaint:

1. Clause 49.2 from the current UWS Academic Staff Enterprise Agreement states (in relation to dealing with possible cases of misconduct) that: "Disciplinary action should not be used precipitately: supervisors shall make reasonable efforts to resolve incidents of possible misconduct informally, with the expectation that, in many cases, situations will be resolved with appropriate guidance, counselling, conciliation, or other appropriate action that may include staff development".
  - a) For not one of the 7 above-mentioned complaints has my supervisor, Dr Sally Macarthur, made any effort whatsoever to resolve these complaints informally – for example (as had initially occurred in the Gately case) by organizing conciliatory meetings between herself, myself, and each one of the complainants individually: it is quite evident that Clause 49.2 has been ignored entirely.
  - b) Because of this repeated procedural failure, I was by no means legally obliged to submit to any formal interviews with the university's Investigations Officer, Mr Gregory Stecenko. And yet I did so nonetheless, in a spirit of cooperation. Moreover, I have answered every one of Mr Stecenko's questions truthfully, candidly, and to the best of my memory.
2. I have been a lecturer, on a casual basis, in the Music Department at Sydney University continuously since 1989. Not a single complaint has ever been made against me there, either by students or by colleagues. This fact may be verified by contacting Prof. Winsome Evans (tel.: 9557-5145) or Jane Stanley (tel.: 9585-0453).

Likewise, until November 2002 the only complaints made against me were the initial complaints by Matthew Gately and, some years ago, a complaint by a former colleague (Andrée Greenwell) which was resolved. Not one complaint of harassment has been brought against me by anybody at the University of Western Sydney since I took up my academic position here in February 1996. Indeed, a former fourth-year student I supervised throughout 2000, Milica Stefanovic, is willing to attest to my supportiveness and professionalism; she may be contacted on 0413-072588.

Given my hitherto unblemished record, this sudden deluge of written complaints is – to say the least – anomalous.

3. Furthermore, the synchronicity of the letters of complaint is (in a statistical sense) simply astonishing. Mr Stecenko did not show me the letters of complaint (aside from that by Alison Kett), but from the information provided to me by him, it is apparent that all of them bar one are dated within a period of one week – between 8.11.02 and 13.11.02 – with the sole exception being dated 16.11.02 (and a further, undated, document apparently having been faxed on 20.11.02). And yet the dates of the alleged incidents detailed therein, if specified at all, range over a period of many months – purportedly back to March or April 2002 in the case of Claire Herbert. Where the hiatus between alleged incident and letter of complaint is of the order of several weeks or months (as it seems to be in most cases), one is compelled to ask: Why have the complainants not presented their formal complaints immediately, of

their own volition, if their grievances are indeed felt by them to be serious, to carry weight and to merit investigation?

4. Given the points above, I am ineluctably led to the conclusion that some outside influence who bears me a grudge, an *agent provocateur* positioned to wield power over the complainants, has somehow pressured them into making formal written complaints against me. If this be so – and I do believe it to be so – then the whole exercise is exposed for what it truly is: namely, a malicious attempt by those involved to damage my position and reputation. I urge the university's Investigations Officer, Mr Stecenko, to make enquiries of the complainants (and any other concerned parties) as to whether any such coercion of them has in fact taken place.

In this respect, I wish to put on record a conversation I had with a colleague, Kim Poole, on the afternoon of Friday 29.11.02. During this conversation, Kim informed me that he had been badgered by another colleague, Dr Sally Macarthur, into ringing a fourth-year student, Colleen Spillane, from Dr Macarthur's office phone, in Dr Macarthur's presence, with a view to 'encouraging' Colleen to make a formal written complaint against me. Kim also told me that Colleen was not initially willing to make such a complaint but folded under the pressure, and that Dr Macarthur had herself rung Colleen several times for the very same reason. Kim later told me that he would be approaching Gregory Stecenko with this information this coming Thursday (5.12.02).

5. My own dealings with Dr Macarthur throughout the latter half of 2002 convince me that in fact it is *she* who has orchestrated this attack upon me. Apart from Dr Macarthur's administrative rôle as a "Head of Program" within the School of Contemporary Arts (in which she would function as the conduit whereby the written complaints were channelled up to a higher authority for investigation), I believe that her motivations against me are both personal and political:
  - a) In recent months, I have been subjected to a number of irrational outbursts by Dr Macarthur. It is not appropriate in this context for me to provide exhaustive details (I am happy to do so later if required), but a sketch of one such incident should suffice. During the afternoon of Thursday 7.11.02, I was publicly berated by Dr Macarthur outside her office, in front of students and colleagues, over the matter of SFQs (Student Feedback Questionnaires) for the Analytical Models subject which she coordinates: Dr Macarthur had herself neglected to organize the creation and dissemination of such SFQs, and so she gave me a free hand to do my own SFQ; I therefore tailored my SFQ specifically to the 5-week block over which I lectured in this subject, causing her to attack me for not requesting feedback on the whole 13-week lecture-series. This bizarre altercation was witnessed by Dr Bruce Crossman, who later told me that he would be prepared to provide a statement on the matter should it be requested. (On a previous occasion, Dr Crossman warned me that, in his opinion, Dr Macarthur was setting out to persecute me.)
  - b) During semester 1 of this year, Dr Macarthur spearheaded criticism of a whole raft of music-performance subjects. A 'war-by-email' ensued between her on the one hand, and Kim Poole and Diana Blom on the other; as a half-time lecturer, my involvement in this *mêlée* was quite minimal. However, I believe that Diana Blom (who is in charge of music-performance) has speculated that Dr Macarthur's motives here are somewhat political: to secure funds by eliminating one of the music-performance positions in order to create a second position in musicology – Dr Macarthur's own field of scholarship. I imagine that Diana Blom (who is currently on leave) would be happy to comment.
  - c) I received an email from Linda Watson, Senior Employee Relations Consultant, that was sent by her on 21.11.02 at 15:05:24 +1100 entitled "complaints – associated matters"; a copy of this email was also forwarded simultaneously to Mr Stecenko, the university's Investigations Officer. This email was in response to a communication from Dr Macarthur informing Linda Watson that the previous day, I had briefly been inside Dr Macarthur's office unattended. (In a spirit of collegiality, I had merely left some papers, together with

an explanatory note, on Dr Macarthur's desk concerning a research area of some interest to her; one of the Analytical Models tutors, Adrian Renzo, was aware of this, and I believe that he also saw me heading towards Dr Macarthur's office.) Anyhow, I interpret Dr Macarthur's communiqué as a smear – an attempt on her part to sully my reputation by insinuating that I am somehow trying to corrupt the investigation process into the complaints against me. This is absolutely not the case, as I have always acted with integrity and cooperated fully with the university's investigative procedures.

6. In my detailed records of interview I have already drawn attention to the probability of collusion between certain complainants – on account of the striking similarity of certain details of their complaints, and the prospect that they bear some animosity towards me. To my mind, Pamela Levingston's complaint falls into this category too: she appears excessively eager to be supportive of Matthew Gately, perhaps due to my criticism of her tardiness in turning up to one of my Analytical Models lectures?

I thank you for your attention.

Yours sincerely,

Ian Shanahan,  
Lecturer in Performance & Composition, SoCA/Music